

FCC APPEAL – WAIVER REQUEST

CC Docket No. 02-6

Applicant: Marlboro County School District

BEN: 127191

Contact Info: Andy Schwartz, CRN #16024804, andyschwartz@eratesolutions.com, 785.841.1069

471 Application: 910978

FRN: 2508227

Invoice Number assigned by USAC: 2393114

SPIN: 143001192

Reimbursement Form Number: ATT-ONETIME

Reimbursement Amount: \$12,209.93

The Applicant is requesting a waiver and subsequent extension of the invoice deadline so that it can file a new BEAR to receive the funds that were erroneously denied by USAC during the original invoice process. The original BEAR was denied by USAC as there was some ambiguity as to if the installation was completed prior to the end of the funding year. The Applicant filed an Appeal along with the appropriate supporting documentation with the FCC on January 01, 2017 seeking to resolve that ambiguity.

On May 03, 2018 the FCC via DA 18-416, released April 30, 2018 (attached as exhibit A1), APPROVED the appeal and determined that the installation was in fact completed prior to the September 30, 2015 installation deadline. However the invoicing deadline for the FRN has passed which is preventing the Applicant from collecting its funds that were erroneously denied.

Additionally, *Re: Requests for Waiver of Decisions of the Universal Service Administrator by Academic Excellence, Apple Valley, CA*, March 9, 2007, states if the applicant's mistakes does not result in an advantage to the applicant, if denied, would result in an undue hardship to the applicant. The Applicant is a small, rural school district and the \$12,209.93 is a significant sum. There was no advantage to the District and the loss of funds does pose a significant, undue hardship to the District. The Applicant did nothing wrong. The Applicant is simply caught-up in a series of clerical errors from AT&T billing and those errors were not rectified in time to file a new BEAR before the invoice deadline passed.

The Applicant is requesting a waiver of the invoice deadline and a subsequent extension of the invoicing deadline so that it can file another BEAR to receive the appropriate funds. The Applicant is asking the FCC for a 30-day extension of the invoicing deadline from the date of its decision on this matter. The Applicant expects to submit the new BEAR in a timely manner (within 24 hours) of this extension being granted.

name

date

July 12, 2018